



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

MAY 2 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. Gary Dolana
Owner
Dolana Trout Farm
3951 London Lane
Santa Clara, Utah 84765

Re: Dolana Trout Farm
NPDES Permit Number IDG130069

Dear Mr. Dolana:

On behalf of the United States Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the March 17, 2015, Clean Water Act (CWA) inspection of Dolana Trout Farm ("Facility") by the Idaho Department of Environmental Quality (IDEQ) on behalf of EPA. The purpose of the inspection, and subsequent EPA administrative file review, which included Discharge Monitoring Reports (DMRs) submitted by the Facility, was to determine compliance with the requirements of the CWA and the National Pollution Discharge Elimination System (NPDES) general permit number IDG130069 ("Permit") for *Aquaculture Facilities in Idaho, subject to Wasteload Allocations under Selected Total Maximum Daily Loads*. The purpose of this letter is to notify you of the results of the IDEQ inspection and EPA administrative file review.

REVIEW OF ADMINISTRATIVE FILES

1. EPA reviewed the DMRs from February 2011 through February 2016 and identified effluent limitation exceedances that constitute 90 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure A).
2. Part V.B. of the Permit states, "The permittee must summarize monitoring results, including influent, effluent, and net results, each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1) or equivalent."

Part V.B.1 of the Permit states, "The permittee must submit reports monthly, postmarked by the 20th day of the following month."

During EPA review of DMRs from February 2011 through February 2016, it was found that the Facility submitted three DMRs late. It was also found that the Facility submitted two parameters

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late. A third parameter was not reported, and was administratively resolved two years after it was due. A list of these violations is enclosed (Enclosure B).

MARCH 2015 INSPECTION

Area of Concern

Part II.F.3.a of the Permit states that, "Details on the number of samples, type of sample containers, preservation of samples including temperature requirements, holding times, analytical methods, analytical detection and quantification limits for each parameter, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements. See Parts V.A-F for additional requirements."

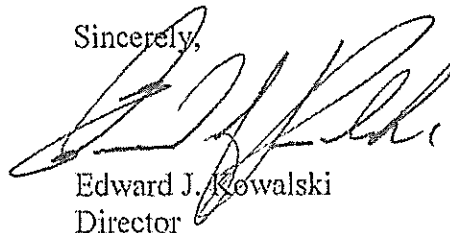
At the time of the inspection, the inspector noted that the Quality Assurance Plan (QAP) contained only basic and general information about each required aspect. The QAP should contain as much detail as possible so it can be used to effectively deal with any issue that may arise.

On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure C).

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure D). If you have any questions concerning this matter, please do not hesitate to contact Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc: Mr. Stephen Berry
Idaho Department of Environmental Quality
stephen.berry@deq.idaho.gov